Remarks

Claims 1-7 are pending are pending in the application; claims 8-32 are canceled.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi et al. (US Patent 6,574,208, hereinafter "Matturi") in view of Patel (US Patent 7,031,266, hereinafter "Patel").

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi in view of Patel further in view of Barber et al. (US Patent Application Publication 2004/0078598, hereinafter "Barber").

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously

depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejection Under 35 U.S.C. 103(a)

Claims 1-5

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi in view of Patel. The rejection is traversed.

Matturi and Patel, alone or in combination, fail to teach or suggest at least the limitation of "receiving at said gateway, from at least one access point receiving said discovery message, an access point registration request comprising access point location, IP address, MAC address, radio type, and power level information of said access point," as claimed in Applicants' claim 1.

Matturi discloses that network element identification information is fed into a base station to be installed and the base station is physically connected to the system. (Matturi, Abstract). If the base station controller detects that it has been provided with identification information on base stations not yet connected thereto, the base station controller transmits a communication control channel (a link protocol link establishment request message) to the base station. (Matturi, Col. 7, Lines 4 – 18). Thus, as taught in Matturi, the base station controller transmits a request message to the base station, and, further, the base station controller receives a response message from the base station that includes the identification information of the base station. By contrast, Applicants' claim 1 includes the feature that a gateway receives a request message from at least one access point. Thus, for at least these reasons, Matturi fails to teach or suggest Applicants' claim 1, as a whole.

Furthermore, Patel fails to bridge the substantial gap between Matturi and Applicants' claim 1.

Patel discloses a system for configuring a wireless router and a wireless communications network in which connectivity is established between the wireless router and at least one wireline router, connectivity is established between the wireless router and a plurality of neighboring wireless routers, and the wireless router is configured

based on information exchanged with the neighboring wireless routers through the wireline router. (Patel, Abstract).

Patel, however, alone or in combination with Matturi, fails to teach or suggest at least the limitation of "receiving at said gateway, from at least one access point receiving said discovery message, an access point registration request comprising access point location, IP address, MAC address, radio type, and power level information of said access point," as claimed in Applicants' claim 1.

Rather, Patel discloses that a wireless router exchanges configuration with neighboring wireless routers, not a gateway. The exchange of configuration information between wireless routers such that one wireless router receives configuration information from neighboring wireless routers, as disclosed in Patel, does not teach or suggest that a gateway receives an access point registration request, as claimed in Applicants' claim 1.

In the Office Action, the Examiner cites specific portions of Patel, asserting that the cited portions of Patel disclose "that the access point transmits a registration request message...." (Office Action, Pg. 3). Applicants respectfully note that the cited portions of Patel each fail to teach or suggest that a gateway receives an access point registration request from an access point. Rather, each of the cited portions of Patel merely discloses negotiation of configuration parameters between wireless routers.

Thus, since each of Matturi and Patel fails to teach or suggest the limitation of "receiving at said gateway, from at least one access point receiving said discovery message, an access point registration request comprising access point location, IP address, MAC address, radio type, and power level information of said access point," any permissible combination of Matturi and Patel (assuming such combination is even possible), fails to teach or suggest the limitation of "receiving at said gateway, from at least one access point receiving said discovery message, an access point registration request comprising access point location, IP address, MAC address, radio type, and power level information of said access point," as claimed in Applicants' claim 1.

Thus, for at least these reasons, Matturi and Patel, alone or in combination, fail to teach or suggest Applicants' claim 1, as a whole.

According to MPEP §2143, to establish a prima facie case of obviousness under 35 U.S.C. §103, three basic criteria must be met. First, there must be some suggestion or

motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Office Action failed to establish a *prima facie* case of obviousness, because the combination of Matturi and Patel fails to teach or suggest all the claim elements.

As such, independent claim 1 is patentable over Matturi in view of Patel under 35 U.S.C. 103(a). Furthermore, independent claim 3 recites relevant limitations similar to those recited in independent claim 1. Accordingly, for at least the same reasons discussed above, Applicants submit that independent claim 3 is also non-obvious and is patentable over Matturi in view of Patel under 35 U.S.C. §103. Furthermore claims 2 and 4-5 depend, directly or indirectly, from independent claims 1 and 3 while adding additional elements. Therefore, these dependent claims also are non-obvious and are patentable over Matturi in view of Patel under 35 U.S.C. §103 for at least the same reasons discussed above in regards to independent claims 1 and 3.

As such, Applicants' claims 1-5 are patentable over Matturi in view of Patel under 35 U.S.C. §103(a). Therefore, the rejection should be withdrawn.

Claims 6-7

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi in view of Patel further in view of Barber. The rejection is traversed.

Each ground of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. 103 given Matturi in view of Patel. Since the rejection under 35 U.S.C. 103 given Matturi in view of Patel has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Barber supplies that which is missing from Matturi and Patel to render the amended independent claims obvious, these grounds of rejection cannot be maintained.

Therefore, the rejection should be withdrawn.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Michael Bentley or Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

Dated: 1/23/08

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